

## **Andrew Jackson to Thomas Butler, August 25, 1804, from Correspondence of Andrew Jackson. Edited by John Spencer Bassett.**

**TO THOMAS BUTLER.**

August 25, 1804

. . . . I never can be brought to believe, that the Genl will arrest you, and if he does, the executive will be bound from his letter to interpose, and should he not, there is no doubt in my mind but the congress of the United States will. I would therefore recommend to you to address the president on the subject—(but not to await his answer) in that address I would state to him the orders recd. the duplicity of the Genl, and your firm determination not to crop the hair, and as soon as you are on your march, I will have a remonstrance signed by all the respectable citizens of this District, forwarded to the president. I recommend to you to march for this reason that should you be arrested it will place thing[s] beyond subterfuge that the specification must be for not cropping the hair and 10 should it stand alone on this, I will hazard an oppinion that the thing will end in the total disgrace of the Genl. It cannot be Possible that the President would hazard so much, as to countenance such an order, and should he deviate so much from that republican charector, that I think him so Justly entitled to, I have full confidence, that Congress will take it up and consign the order and the Genl to that merited contempt and silent oblivion that the base ought to meat under a Government like ours founded on a written constitution where implication is not tolerated, and where written rules are for our conduct both as citizens and soldiers. Such an order under any Government is unprecedented, and could precedents be found under despotic governments amidst the rage of war where supplies could not be obtained, they could not bear upon this question. The circumstances attending the present order go to prove it a wanton act of Despotism and be viewed as such both by the executive

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and congress and against such a precedent every welwisher to his country will struggle, from which considerations I think you have nothing ultimately to fear from this order. hence results the necessity, of obedience to every legal order. in case you should be arrested it may stand alone on that specification and if any there should be wearing republican Coats that wishes to favour the Design of the Genl that they may appear in their true coulours, and if any does appear they shall be duly noticed. . . .<sup>1</sup>

<sup>1</sup> The court martial was held July 1–10, 1805. From the General Orders published at St. Louis, Sept. 20, 1805, the following, signed by James Wilkinson, is taken:

“The prisoner plead not guilty, and the court passd. the following Sentence Viz, ‘The Court having maturely weighed and considered what hath appeared before them in evidence during the course of the prosecution, as well as what the Prisoner, Colo. Thomas Butler hath urged in his behalf, are of the opinion, that he is guilty of wilful, obstinate, and continued disobedience of the General Order of the 30th. of April 1801 for regulating the cut of the hair, and also of disobedience of the General Order of the first of February 1804 as set forth in the first charge and specification whereon he has been arraigned. The court also find him Guilty of *Mutinous Conduct*, in appearing publicly in command of the Troops at the City of New Orleans with his hair cued, in direct and open Violation, of the General Orders of the 30th. of April 1801 and 1st. of February 1804, as stated in the second [?] charge, and part of the second specification. And therefore they do in consequence adjudge and sentence him to be suspended from all command, pay, and Emoluments, for the space of twelve Calendar Months, to commence from, and immediately after, the Promulgation of this sentence’.

“The General confirms the General court Martial and the court is dissolved.”

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This extract is filed in the Jackson MSS. under date of Nov. 2, 1805. Before the sentence was pronounced at St. Louis Colonel Butler had died on Sept. 8, on a friend's plantation, to which he had retired after his trial (see John Williamson to Jackson, Sept. 9, 1805).